



CITY OF BRUNSWICK

1 W. Potomac Street • Brunswick, Maryland 21716 • (301) 834-7500

MAYOR AND COUNCIL PUBLIC HEARING NOTES TUESDAY, APRIL 14, 2009, 7:00 P.M.

Impact Fees–Dave Dunn

Dunn highlights the latest revisions to Impact Fee Draft Resolution (copy attached.) This resolution contains language to exclude Brunswick Crossing residents from paying Impact Fees to the City.

Smith–Questions section regarding civil and criminal charges?

Dave Severn, City Attorney–If violations occurred against City code, City can make decision as to whether charges are of a municipal infraction or criminal offence nature.

Biser–Is inflation locked into the proposed schedule?

Emily Parkinson, Tischler Bise Representative–Inflation is not locked in. It is recommended that the City update fees every few years.

Dave Severn–Fees have to be based on a reasonable relationship between the amount of the fee and what the money is being used for. Maryland law allows for a reasonable amount of inflation. Would strongly advise revisiting fees in a few years.

Smith–Asks Mr. Severn if Impact Fees or proffers make more sense for municipalities?

Dave Severn–Is not necessarily a fan of Impact Fees, but you can have both Impact Fees and proffers. If Impact Fees are used correctly, they can certainly be a help to the City, financially.

Kim Cable, 4th Avenue–Is in favor of Impact Fees, but against exempting Brunswick Crossing. Believes all of the things Brunswick Crossing developers have done for Brunswick through the Special Tax District, they are getting back.

Dan Snyder, Brunswick Crossing, LLC–Brunswick Crossing agreed to complete water and sewer improvements that drastically exceeded what was required of them. The City is getting improvements at a fraction of the cost of what they would be if the City waited until later to complete the same improvements. Builders and developers do not pay for fees. The fees are passed on to home buyers through the cost of homes.

Jerry Connelly, Brunswick Crossing, LLC–The “bucket” of money the builder or developer has

for a project is not unlimited. Gives example of developer debt service drastic increase over the past few years, i.e. \$6.9 million in September 2006, as opposed to \$11 million a few months later. Developer has to carry these costs until homes are actually built.

Karin Tome—Asks Jerry Connelly “Is that the only mistake in the disclosure statement?” (referring to number of tap credits)

Karin Tome—Speaking to Jerry Connelly “I’m surprised that you guys are still bringing up that this is so much cost on the Brunswick Crossing residents. I’m getting really frustrated with that.”

Ms. Tome passes an annexation document to Jerry for review.

Karin Tome—It’s not that I’m not over the annexation, I am totally over it. I want this to go through.

Ms. Tome comments on how the Special Tax District was “sold” in 2001, with regards to funding infrastructure, wouldn’t cost current residents, market price of houses would be lower, etc.

Karin Tome—I’m frustrated that you go back to this poor Brunswick Crossing residents. I am looking out for the Brunswick Crossing residents, as well as the current residents. I don’t want to hear that the poor Brunswick Crossing residents can only bear so much. The poor current residents can only bear so much.

Ms. Tome comments how developers are businessmen, and they knew the risks going into this project.

Jerry Connelly—I disagree with almost every comment you just said wholeheartedly. There isn’t any amount of money we could put up that you wouldn’t ask for more. We’ll just have to agree to disagree.”

Karin Tome—We will agree to disagree.

Biser—Is afraid that Brunswick Crossing residents are coming into Brunswick with expectations, that the City won’t necessarily be able to provide as promised. Doesn’t believe the amount that Impact Fees would add to the cost of homes in Brunswick Crossing would be noticed by home buyers.

Jerry Connelly—Believes small impacts are felt by home buyers, especially in this economy.

Smith—When the Council began this process last year, it was with the intension that Brunswick Crossing be excluded from the study.

MAYOR AND COUNCIL MEETING NOTES
TUESDAY, APRIL 14, 2009, 8:00 p.m.

CALL TO ORDER

PLEDGE

ROLL CALL—Johnson, Biser, Allgaier, Stull, Tome, Smith—all present

OLD BUSINESS

Impact Fees

Allgaier—Impact Fees are necessary. Discloses his son is an architect who has a contract with Brunswick Crossing, but will not gain anything if Impact Fees pass. Doesn't believe adding Impact Fees onto the amount of a home in Brunswick Crossing would have much effect on the home buyers, since the amount is minimal.

Tome—Not in favor of exempting Brunswick Crossing altogether.

Stull—Believes what Brunswick Crossing has done up front, without knowing an Impact Fee may be imposed later, would not have been completed with that knowledge.

Smith—Feels Brunswick Crossing has put enough money into the City. Thinks Galyn Manor, in turn, did not.

Mayor—When Impact Fees were first brought up, the majority of the Council did not feel they should be applied to Brunswick Crossing.

Biser—Believes people should have the ability to change their mind when they get more information.

Smith—Plans on voting for this because he doesn't believe in wasting \$50,000.

Johnson—The City will need to be fiscally responsible when spending. In favor of exempting Brunswick Crossing.

Mayor—Points out a few logistical points in ordinance to be corrected (attached.)

Dave Severn—Suggest to Council that they vote on enactment of ordinance tonight, with final language to come later.

Motion to approve enactment of Impact Fees with following exceptions—removing Section 2.5, number 4, adding municipal infraction language and language for inflation yearly—Biser

2nd—Tome

Vote 2-4, Biser & Tome in favor; Johnson, Allgaier, Stull & Smith opposed

Motion to approve enactment of Impact Fees with following exceptions—delete Section 3.3 1, and adding language for inflation yearly tied to construction cost index—Smith

2nd—Tome

David Severn—Takes Council through Ordinance page by page, indicating changes (attached)

Smith—Clarifies motion includes clean-up proposed by Severn

Biser—Always in favor of implementing Impact Fees, but doesn't want to exclude Special Taxing District.

Vote 5-1, Tome opposed

MAYOR'S REMARKS

None.

APPROVAL OF MINUTES

Mayor and Council—March 10 & 24, 2009

Closed—March 10, 2009

Finance—March 18, 2009

Motion to approve—Stull

2nd—Allgaier

Vote 6-0

STAFF REPORTS/COMMITTEE REPORTS

Planning & Zoning—Jim Castle

Report attached.

Events—Jody Bruchey

Report attached.

Water & Waste Water—Patrick Hoffmaster

Report attached.

Public Works—Al Danaher
Report attached.

Police—Chief Smith
Report attached.

Chester Engineering—Rick Travers
Report attached.

CITIZENS' FORUM

CONSENT AGENDA 2009 Skate Park Hiring

Motion to approve—Stull
2nd—Allgaier
Vote 6-0

NEW BUSINESS

Traffic Control Request—Handicap Space—714 Park Avenue

Motion to approve—Smith
2nd—Biser
Vote 6-0

Landscaping Bid Award—Castle

Report attached. Grant received for planting throughout the City. Seven bids received...bid tabulation attached. Staff recommends awarding to Treeland Nurseries for \$12, 567.

Motion to approve—Biser
2nd—Smith
Vote 6-0

Fireworks Bid Award—Jody Bruchey

Report attached. Two bids received. Staff recommends awarding to Schaefer Pyrotechnics for \$5,000.

Motion to approve—Allgaier
2nd—Stull
Vote 5-1, Biser opposed

Skate Park Cameras Bid Award—Dave Dunn

Report attached. Two bids received. Staff recommends awarding to Creative Surveillance for

\$9,957.16.

Motion to approve–Biser

2nd–Smith

Vote 6-0

Swimming Pool Fence Bid Award–Carrie Myers

Report attached. Three bids received. Staff recommends awarding to Long Fence Co. for \$11,336.00.

Motion to approve–Biser

2nd–Tome

Vote 6-0

Swimming Pool Concrete Decking Bid Award–Carrie Myers

Report attached. Two bids received. Staff recommends awarding to Dixon & Son Concrete for \$10,155.00.

Motion to approve–Allgaier

2nd–Stull

Vote 6-0

Brunswick Library (Frederick County) Guarantee Waiver Request–Jim Castle

Report attached.

Motion–Smith

2nd–Allgaier

Vote 6-0

Non-Residential Recycling Discussion–Dave Dunn

Staff report attached. Currently there are three options that Key Sanitation proposed.

Bob Clark, Key Sanitation–Points out that no one knows how many participants City will get. Preference is Option #3, enclosed roll-off at Public Works.

Allgaier–Who pays the fee in Options 2 & 3?

Dunn–That would be for the Council to discuss.

Biser–Option #3 is a good trial, since we don't know how many participants we'll have.

Tome–In favor of Option #3.

7